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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,038	10/27/2000	Robert Jay Shaw	5053-31001	6764
Eric Meyertons Conley Rose & Tayon P C P O Box 398 Austin, TX 78767-0398			EXAMINER COLBERT, ELLA	
			ART UNIT 3696	PAPER NUMBER
			MAIL DATE 02/11/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/699,038

**Applicant(s)**

SHAW, ROBERT JAY

**Examiner**

Ella Colbert

**Art Unit**

3694

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6, 9-17, 19, 22-30, 32, 35-39 and 41-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 9-17, 19, 22-30, 32, 35-39, and 41-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-4, 6, 9-17, 19, 22-30, 32, 35-39, and 41-43 are pending. Claims 1, 14-17, 19, and 22-27 have been amended in this communication filed 11/13/07 entered as Response After Non-Final Action.
2. The claim objections for claim 1 has been overcome in part and is withdrawn in part. However, there are still remaining claim objections as set forth here below.

#### ***Claim Objections***

Claim 1, 14, and 27 are objected to because of the following informalities: Claim 1, page 3 recites "sequentially reading ...; and for each of the smart triggers ...;". These claim limitations should recite "reading sequentially ... and for each, of the smart triggers ...".

A comma (,) is needed after "the smart trigger" and before the "wherein" clause. Claims 14, page 7 has a similar problem after smart trigger and before the "wherein" clause. Claim 27, page 9 and page 11 has the same problem as in claim 14. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 14-17, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,940,809) Musmanno et al, hereafter Musmanno in view of (US

5,430,644) Deaton et al, hereafter Deaton and further in view of (US 6,970,844) Bierenhaum.

Claims 1, 14, and 27. Musamanno teaches, A method of selectively processing tasks in a Financial Services Organization (FSO) computer system, wherein the FSO computer system comprises a plurality of FSO related data sets, and a plurality of computer executable FSO related processing tasks, the method comprising: configuring a smart trigger table having a plurality of smart triggers, each of the smart triggers comprising: (col. 5, lines 24-67) a task identifier that identifies an FSO related processing task (col. 6, lines 1-8); a data set identifier that identifies an FSO related data set (col. 6, lines 9-41; and a scheduled date for processing the smart trigger (col. 6, lines 42-51); and comparing the scheduled date for processing the smart trigger to the current date (col. 8, lines 41-49); and executing the FSO related processing task associated with the smart trigger to process the data contained in the FSO related data set in response to reading the smart trigger from the first memory if the scheduled date of the smart trigger is equal to or before the current date, but not executing the FSO related processing task to process the data contained in the FSO related data set of the smart trigger in response to reading the smart trigger from the first memory if the scheduled date of the smart trigger is after the current date (col. 11, lines 39-60, col. 13, lines 5-29, and col. 21, lines 57-67). Musamanno did not expressly disclose a memory. However, it is inherent in any computer system to have a memory. Most microcomputers have a small amount of read-only memory (ROM), containing built-in programs that start the operation of the computer when it is turned on, and a large amount of random-access memory (RAM) for

user's programs and data. Musmanno failed to teach, storing the smart trigger table in a first memory of the computer system; sequentially reading at least two of the smart triggers from the first memory and for each of the smart triggers read from the first memory. Deaton teaches, storing the smart trigger table in a first memory of the computer system; sequentially reading at least two of the smart triggers from the first memory (col. 11, line 39-col. 12, line 53); and for each of the smart triggers read from the first memory (col. 13, lines 5-29). It would have been obvious to one having ordinary skill in the art at the time the invention was made to store the smart trigger table in a first memory of the computer system; sequentially reading at least two of the smart triggers from the first; and for each of the smart triggers read from the first memory and to modify in Musmanno because such a modification would allow Musamanno to provide instructional programming for the microprocessor to perform a program to determine the location of the customer account number. Musmanno and Deaton failed to expressly teach an FSO. Bierenbaum teaches an FSO and tasks in a workflow. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Musmanno with the teachings of Bierenbaum because such a modification would allow Musmanno to model a Financial Service Organization (FSO) production system for processing transactions.

Claim 14. Deaton teaches, a computer readable medium comprising program instructions, wherein the program instructions are executable by a computer system to implement the steps of claim 14 in col. 11, lines 53-56.

Claim 27. Musmanno further teaches, a computer program (fig. 2 (208)); Financial Service Organization (FSO) computer system comprising a plurality of FSO related data sets, and comprising a plurality of computer executable FSO related processing (fig. 5); and wherein the computer program is executable on the computer system (fig. 1 (114) and fig. 4).

Claims 2, 15, and 28. Musmanno teaches, wherein storing the smart trigger table in the first memory is performed by an application program executing in the FSO computer system (col. 2, lines 7-64, col. 3, lines 39-51 and col. 6, lines 10-16 and lines 62-67). Musmanno did not expressly disclose a memory. However, it is inherent in any computer system to have a memory. Most microcomputers have a small amount of read-only memory (ROM), containing built-in programs that start the operation of the computer when it is turned on, and a large amount of random-access memory (RAM) for user's programs and data.

Claims 3, 16, and 29. Musmanno and Deaton failed to teach, wherein storing the smart trigger table in the first memory is performed by a user of the FSO computer system, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the storing of the smart trigger table in the first memory performed by a user of the FSO computer system and to modify in Musmanno because such a modification would allow Musmanno to have the capability to store information (the smart trigger table) while it is being actively worked on by a user.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4, 6, 9-13, 17, 22-30, 32, 35- 39 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,940,809) Musmanno et al, hereafter Musmanno, (US 5,430,644) Deaton et al, hereafter Deaton, and (US 6,970,844) Bierenbaum in view of (US 6,341,287) Sziklai et al, hereafter Sziklai.

Claims 4, 17, and 30. Musmanno and Deaton failed to teach, further comprising processing at least one of the first smart triggers to generate a first processed smart trigger. Bierenbaum teaches, further comprising processing at least one of the first smart triggers to generate a first processed smart trigger (col. 5, lines 22-64). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify in Musmanno because such a modification would allow Musmanno to achieve optimization in terms of costs, when the transaction processing is balanced and the data is arranged in an arbitrary manner.

Claims 6 and 32. Musmanno teaches, wherein processing the at least one of the smart triggers comprises the task identifier from the smart trigger (col. 5, lines 24-41). Claims 9, 22, and 35. Musmanno failed to teach, wherein the smart trigger table comprises N rows each one of which comprises one smart trigger, the method further comprising: a) setting a counter X to one; and b) incrementing X by one; c) reading an Xth smart trigger from the smart trigger table; d) comparing an Xth scheduled date of the Xth smart trigger to the current date; e) executing an Xth processing task and

processing Xth data contained in an Xth data set in response to the Xth scheduled date of the Xth smart trigger being on or before the current date; f) not executing the Xth processing task in response to the Xth scheduled date of the Xth smart trigger being after the current date; and g) repeating b) through f) until X equals N. Kanai teaches, wherein the smart trigger table comprises N rows each one of which comprises one smart trigger, the method further comprising: a) setting a counter X to one (col. 21, line 31-col. 23, line 65); and b) incrementing X by one (col. 21, line 31-col. 23, line 65). Kanai failed to teach, c) reading an Xth smart trigger from the smart trigger table; d) comparing an Xth scheduled date of the Xth smart trigger to the current date; e) executing an Xth processing task and processing Xth data contained in an Xth data set in response to the Xth scheduled date of the Xth smart trigger being on or before the current date; f) not executing the Xth processing task in response to the Xth scheduled date of the Xth smart trigger being after the current date; and g) repeating b) through f) until X equals N. Szuklai teaches, c) reading an Xth smart trigger from the smart trigger table (col. 13, lines 48-56); d) comparing an Xth scheduled date of the Xth smart trigger to the current date (col. 18, lines 24-29 and col. 19, lines 1-7); e) executing an Xth processing task and processing Xth data contained in an Xth data set in response to the Xth scheduled date of the Xth smart trigger being on or before the current date (col. 19, lines 24-36 and lines 44-56); f) not executing the Xth processing task in response to the Xth scheduled date of the Xth smart trigger being after the current date (col. 20, lines 17-20 and lines 26-36); and g) repeating b) through f) until X equals N (col. 13, lines 48-56, col. 18, lines 24-29, and col. 19, lines 1-56). It would have been obvious to one having ordinary skill in the art



at the time the invention was made to read an Xth smart trigger from the smart trigger table; compare an Xth scheduled date of the Xth smart trigger to the current date; execute an Xth processing task and processing Xth data contained in an Xth data set in response to the Xth scheduled date of the Xth smart trigger being on or before the current date; not execute the Xth processing task in response to the Xth scheduled date of the Xth smart trigger being after the current date; and repeat b) through f) until X equals N and to modify in Musmanno because such a modification would allow Musmanno to have a trigger table that provides trigger steps specified for the system (see Szuklai- col. 13, lines 52-55).

Claims 10, 23, and 36. Musmanno teaches, wherein at least one of the smart triggers comprises one or more data fields, wherein data in the one or more data fields is passed to the FSO related processing task of the smart trigger in response to reading the smart trigger. teaches, wherein the at least one of the smart triggers comprises one or more data fields, wherein data in the one or more data fields is passed to the first FSO related processing task in response to reading the smart trigger (col. 5, line 56-col. 6, line 8 and lines 42-67, and col. 7, lines 6-26).

Claims 11, 24, and 37. Musmanno teaches, wherein at least one of the FSO related data sets comprises to customer account record containing data relating to a customer of the FSO, wherein the data identifier assigned to the FSO related data set

comprises a customer account number corresponding to the customer account record (col. 8, lines 26-40).

Claims 12, 25, and 38. Musmanno teaches, wherein the FSO computer system further comprises a smart trigger processing task for processing the smart trigger table, wherein the smart trigger processing task is configurable to be executed periodically, wherein the scheduling of the period of execution is configurable by a user of the FSO computer system (col. 8, line 41-col. 9, line 14, and fig. 3).

Claims 13, 26, and 39. Musmanno teaches, wherein the method further comprises deleting at least one of the processing task identifiers in response to executing the processing task (col. 6, lines 42-61).

Claim 41. Musmanno teaches, wherein the smart trigger table comprises a list of pointers to an account data set, wherein the smart trigger table includes: an activity number associated with each of the pointers, wherein the activity numbers identify further processing of the account data set (col. 6, lines 42-51 and col. 10, lines 41-44); and activity data associated with each of the activities numbers, wherein the activity data is processed on a user specified schedule date (col. 6, lines 25-67).

Claim 42. Musmanno teaches wherein the activity number is used as a key to access an associated processing task number (col. 6, lines 10-16).

Claim 43. Musmanno teaches, wherein the associated processing task number is used to access an executable processing task name (col. 6, lines 42-51- external numbers assigned).

### ***Response to Arguments***

Applicant's arguments filed 11/13/07 have been fully considered but they are not persuasive.

Issue no. 1: Applicant argues: Applicant further submits that Musmanno does not appear to teach or suggest a smart trigger table and even if the "standard transaction of Musmanno is equated with Applicant's "smart triggers, "for argument sake only Musmanno does not appear to teach forming a table that includes 'standard transactions has been considered but is not persuasive. Response: Musmanno was not used to reject this claim limitation. Deaton was used to reject this claim limitation. Therefore this argument is considered moot.

Issue no. 2: Applicant argues: In any case Deaton does not appear to teach or suggest sequentially reading smart triggers from memory has been considered but is not persuasive. Response: It is interpreted that Deaton is analogous art because Deaton does teach a financial environment and EEPROM is a memory that a table which can be read. In addition, it is interpreted that the customer account number and four fields are the smart triggers.

Issue no. 3: Applicant argues: Musmanno does not appear to teach or suggest a smart trigger table having a list of pointers to an account data set, the table including an activity number being associated with each pointer and identifying further processing of

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the account data set; activity data associated with each of the activities numbers, wherein the activity data is processed on a user specified schedule date has been considered but is not persuasive. Response: Musmanno does not disclose a smart trigger table. Szuklai in col. 13, lines 52-55 was cited on page 8, the first paragraph of the Office Action. Musmanno does disclose tables in col. 6, lines 25-67 and references databases in Fig. 5, col. 7, line 50 throughout the remaining columns of Musmanno.

In this rejection of claim 1 and others, for example under Section 103 (a) of Title 35 of the United States Code, the Examiner carefully drew up a correspondence between the Applicants' claimed limitations and one or more referenced passages in the Musmanno, Deaton, and Bierenbaum references, what is well known in the art, and what is known to one having ordinary skill in the art (the skilled artisan). The Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the Specification (see below):

2111 Claim Interpretation; Broadest Reasonable Interpretation [R-1]

**>CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE INTERPRETATION**

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).<

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on Monday, Tuesday, and Thursday, 5:30AM-3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Trammell James can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 4, 2008

/Ella Colbert/

Primary Examiner, Art Unit 3694

**Application Number**

Application/Control No.

09/699,038

Examiner

Ella Colbert

Applicant(s)/Patent under  
Reexamination

SHAW, ROBERT JAY

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